

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CASE NO. 3:19-CV-669-DCK**

**LABRANNON NIX, individually and on  
behalf of all others similarly situated,**

**Plaintiffs,**

**v.**

**ADAMS BEVERAGES OF NORTH  
CAROLINA, LLC,**

**Defendant.**

**ORDER**

**THIS MATTER IS BEFORE THE COURT** on the “Unopposed Motion For Approval Of Settlement Of FLSA Collective Action” (Document No. 24) filed April 12, 2021. The parties have consented to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c), and immediate review is appropriate. Having carefully considered the Motion, the Proposed Settlement Agreement and Release (Document No. 25-1), and accompanying documents, the Court finds that the settlement reached in this matter is a fair and reasonable resolution to a bona fide dispute and provides an adequate basis for Plaintiffs to waive their substantive and prescriptive rights under applicable law. Accordingly, the Court enters the following Order.

**IT IS, THEREFORE, ORDERED** as follows:

1. Plaintiff’s Unopposed Motion For Approval Of Settlement Of FLSA Collective Action Certifying a FLSA Collective Action (Document No. 24) is **APPROVED**, including the payments to Settlement Collective Members, the releases of claims, the service payment to Named Plaintiff, the designation of the Settlement Administrator and Settlement Administrator fees, and payment of attorneys’ fees and costs therein.

2. The Settlement Collective is **CERTIFIED** pursuant to the Fair Labor Standards Act, 29 U.S.C. § 216(b), for the sole purpose of settlement.
3. The Court **APPROVES** the proposed form of the Settlement Notice and method of distribution as the best notice practicable under the circumstances.
4. The Court **DIRECTS** that the Gross Settlement Amount be distributed in accordance with the terms of this Settlement Agreement.
5. The Court **APPROVES** the Parties' request that the docket remain open so that Check Opt-in Forms may be filed on the docket by Class Counsel on behalf of each Participating Collective Member, and further **APPROVES** the Parties' proposed method of filing Check Opt-in Forms with the Court as fair, reasonable, and sufficient to constitute a consent to join the Lawsuit, as required by 29 U.S.C. § 216(b), on behalf of each Participating Collective Member.
6. The action is **DISMISSED WITH PREJUDICE** in its entirety in full and final discharge of any and all Participating Members' Released Claims, including Named Plaintiff's Released Claims.
7. The Court retains jurisdiction to interpret, implement, and enforce the terms of the Settlement Agreement and all orders and judgments entered in connection therewith.

Signed: April 15, 2021

  
\_\_\_\_\_  
David C. Keesler  
United States Magistrate Judge

